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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case Number: 11-CR-20129

-vs-

D-1 SCOTT WILLIAM SUTHERLAND, ET. AL

Defendants.

F 1 L E D  
JUN 13 2012  
CLERK'S OFFICE  
DETROIT

**GOVERNMENT'S MOTION AND SUPPORTING BRIEF  
TO SEAL THIRD SUPERSEDING INDICTMENT AND ARREST WARRANTS**

The United States of America hereby moves for an order sealing the Third Superseding Indictment and arrest warrants in this case, and states:

1. The Indictment in this case charges the defendants with one or more federal crimes.

2. Rule 6(e)(4) of the Federal Rules of Criminal Procedure provides:

(4) *Sealed Indictment.* The magistrate judge to whom an indictment is returned may direct that the indictment be kept secret until the defendant is in custody or has been released pending trial. The clerk must then seal the indictment, and no person may disclose the indictment's existence except as necessary to issue or execute a warrant or summons.

Fed. R. Crim. P. 6(e)(4).

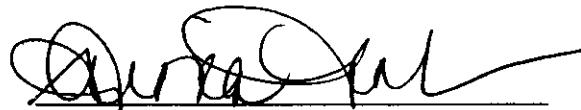
3. The government requests that the Third Superseding Indictment and Arrest Warrants be sealed because it is concerned that the defendants may attempt to flee, destroy evidence, or intimidate witnesses if the Third Superseding Indictment and Arrest Warrants become a matter of public record before the

defendants are arrested.

WHEREFORE, the government requests this Court to issue an order sealing the Third Superseding Indictment and Arrest Warrants.

Respectfully submitted,

BARBARA L. MCQUADE  
United States Attorney



SAIMA MOHSIN  
Assistant United States Attorney  
211 West Fort Street, Suite 2001  
Detroit, Michigan 48226-3220  
phone: 313-226-9163  
e-mail: [samia.mohsin@usdoj.gov](mailto:samia.mohsin@usdoj.gov)  
bar no.: P73990

Date: June 13, 2012

**IT IS SO ORDERED.**

**MAGISTRATE JUDGE MAJZOUN**

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HON. MONA K. MAJZOUN  
United States Magistrate Judge

Entered: